cancelled. These amendments find support in the specification and claims as filed, therefore no new matter is added to this application. The amendments are as follows.

Claims 1 and 11 are both amended to define the 17-position ring substituent >C-R_g as >C(H)-OH only. Further, element e) of Claim 1 recites that the 16-position ring substituents R_{h1} and R_{h2} cannot both be H. Element e) of Claim 1 has been reproduced in independent Claim 11. The definitions of R_g, R_{h1}, and R_{h2} as amended in Claims 1 and 11 now clearly distinguishes these independent claims from the broadest claims of U.S. Patent Application Numbers 09/899,702 (our file 05213-0910) and 09/939,208 (our file 05213-0852), as also amended today.

Applicants further note that the present application is directed to compound claims, while the related Application No. 09/641,327 (our file 05213-0730), which was based on a restriction requirement, is directed to a method of inhibiting angiogenesis. Therefore, the present application is patentably distinct from the invention described in Applications No. 09/641,327, and thus not subject to a double patenting rejection.

In addition, the proviso "that if R_b is H, R_O is H, R_a is OMe, Z' is >COH, >C-R_g is >C=O, and Z" is $>CH_2$, then R_{h1} and R_{h2} are not collectively H and Cl" has been deleted from Claim 1 because the >C-R_g cannot be defined as >C=O as a result of the amendments entered above. Accordingly, this proviso is rendered moot, and is hence deleted.

Applicants further note that the present Application and Applications Number 09/641,327, 09/899,702, and 09/939,208 were commonly owned and/or subject to an obligation to assign to the same entity at the time the inventions were made (35 U.S.C. § 103(c)), thereby precluding an interference proceeding.

Accordingly, Applicants respectfully submit that Claims 1-9 and 11-22 as amended are patentably distinct and hence allowable, and such action is respectfully requested.

c) Z' is >CH, >COH, or >C-R_2-OH, where R_2 is an alkyl or branched alkyl with up to 10 carbons or aralkyl;

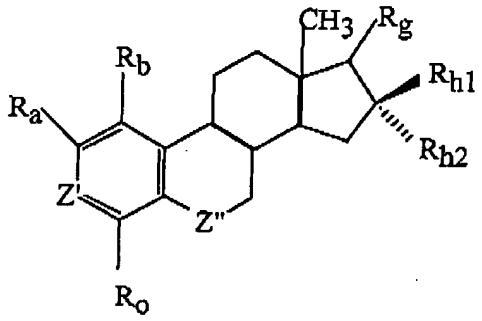
d) >C-R_g is [>CH_2,] >C(H)-OH[, >C=O, >C=N-OH, >C(R_3)OH, >C=N-OR_3, >C(H)-NH_2, >C(H)-NHR_3, >C(H)-NR_3R_4, or >C(H)-C(O)-R_3, where each R_3 and R_4 is independently an alkyl or branched alkyl with up to 10 carbons or aralkyl];

e) R_{h1} and R_{h2} are independently H, or a straight or branched chain alkyl, alkenyl or alkynyl with up to 6 carbons that is unsubstituted, or substituted with one or more groups selected from a hetero functionality (O-Y, N-Y_2 or S-Y) where Y is independently selected from H, Me or an alkyl chain up to 6 carbons; a halo functionality (F, Cl, Br or I); an aromatic group optionally substituted with hetero, halo or alkyl; or R_{h1} and R_{h2} are independently an aromatic group optionally substituted with hetero, halo or alkyl, provided that both R_{h1} and R_{h2} are not H;

f) Z" is >CH_2, >C=O, >C(H)-OH, >C=N-OR_5, >C(H)-C≡N, or >C(H)-NR_5R_5, wherein each R_5 is independently hydrogen, an alkyl or branched alkyl with up to 10 carbons or aralkyl;

and wherein all monosubstituted substituents have either an α or β configuration[, and with the proviso that if R_b is H, R_o is H, R_a is OMe, Z' is >COH, >C-R_g is >C=O, and Z" is >CH_2, then R_{h1} and R_{h2} are not collectively H and Cl].

11. (Amended) A compound of the general formula:



wherein:

R_a is -N_3, -C≡N, -C≡C-R, -CH=CH-R, -R-CH=CH_2, -C≡CH, -O-R, -R-R_1, -OC(O)CH_3, -C(O)H, -NH_2, -NMe_2, -NHMe, or -O-R-R_1 where R is a straight or branched alkyl with up to 10 carbons or aralkyl, and R_1 is -OH, -NH_2, -Cl, -Br, -I, -F or CF_3; with the proviso that R_a is not OMe;

R_b and R_o are H,

Z' is >C-OH,

>C-R_g is >C(H)OH,

[R_{h1} and R_{h2} are H, and]

R_{h1} and R_{h2} are independently H, or a straight or branched chain alkyl, alkenyl or alkynyl with up to 6 carbons that is unsubstituted, or substituted with one or more groups selected from a hetero functionality (O-Y, N-Y_2 or S-Y) where Y is independently selected from H, Me or an alkyl chain up to 6 carbons; a halo functionality (F, Cl, Br or I); an aromatic group optionally substituted with hetero, halo or alkyl; or R_{h1} and R_{h2} are independently an aromatic group optionally substituted with hetero, halo or alkyl, provided that both R_{h1} and R_{h2} are not H; and

Z" is $>CH_2$,

and wherein all monosubstituted substituents have either an α or β configuration.

Conclusion

In view of the above amendments and remarks, Applicants believe that the claims are now in condition for allowance. Such action is respectfully requested. If there are informalities remaining in the application which may be corrected by Examiner's Amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 745-2420 is respectfully solicited.

Respectfully submitted,

By: David E. Wigley, Ph.D.
Reg. No. 52,362

KILPATRICK STOCKTON LLP
1100 Peachtree Street, NE
Suite 2800
Atlanta, GA 30309-4530
Telephone 404.815.6500

Our Docket: 05213-0731 (43170-253406)